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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,088	12/05/2000	Charles D. Wolfson	STL9-2000-0066US1/1804P	9367

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EXAMINER
RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 02/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/731,088	WOLFSON, CHARLES D.
	Examiner	Art Unit
	Sam Rimell	2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-18* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-18* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.
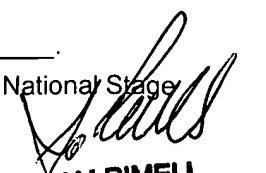
SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
patent by another filed in the United States before the invention by the applicant for patent, except that an
international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
subsection of an application filed in the United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English language.

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Chandra et al.

(U.S. Patent 6,058,389).

Claim 1: Chandra et al. sets forth a database system (FIG. 3) containing message queues

(FIG. 2). Multiple chosen functions are provided, such as ENQUEUE and DEQUEUE in order to

control the messages in the message queues (See col. 12, lines 62-68; col. 13, lines 1-67; and col.

16, lines 18-30). The chosen functions are utilized and implemented by SQL statements (col. 12,

lines 65-67). The chosen functions may also be embedded within a set of SQL commands (col.

24, TABLE 3).

Claim 2: The chosen functions ENQUEUE and DEQUEUE can be added to a database

system by creating SQL statements called ENQUEUE and DEQUEUE and parameterizng these

statements with the parameters shown in Table 1 (col. 13, lines 1-9) and Table 2 (col. 16, lines

25-32). The ENQUEUE and DEQUEUE functions are thus user defined functions.

Claim 3: The user defined function ENQUEUE functions to place the message on a

queue (col. 12, lines 60-67). The user defined function DEQUEUEE functions to non-

destructively retrieve one or all of the message from the queue (col. 16, lines 18-30). The

ENQUEUE functions also involves the function of reading the message (FIG. 9A, steps 900-

903).

Claim 4: The user defined function ENQUEUE function specifies a service endpoint (Queue Name, described at col. 13, line 5).

Claim 5: The user defined function ENQUEUE specifies a destination (Queue Name described at col. 13, line 5) and delivery policies (Enqueue Options described at col. 13, line 6).

Claim 6: The messaging system may be a publish/subscribe based messaging system (col. 35, lines 39-48).

Claim 7: See remarks for claim 1. Note that the message program means are the messages queues shown in FIG. 2 and the database program means is the database system of FIG. 3.

Claim 8: See remarks for claim 2.

Claim 9: See remarks for claim 3.

Claim 10: See remarks for claim 4.

Claim 11: See remarks for claim 5.

Claim 12: See remarks for claim 6.

Claim 13: See remarks for claim 1.

Claim 14: See remarks for claim 2.

Claim 15: See remarks for claim 3.

Claim 16: See remarks for claim 4.

Claim 17: See remarks for claim 5.

Claim 18: See remarks for claim 6.

<u>Remarks</u>

Applicant's arguments have been considered.

Applicant argues that Chandra et al. does not disclose a messaging system that is accessed by a database system, because in Chandra et al., the messaging system (message queues) are within the database. This argument is moot because the claims do not state that the messaging system is physically separate from the database system. In addition, applicant's arguments to this point appear to contradict the independent claims, which explicitly recite a "messaging system <u>in</u> a database system" (claims 1 and 13). The claims clearly are not suggesting a messaging system which is physically separate from the database system.

Applicant argues that the functions of ENQUEUE and DEQUEUE are not chosen functions of a messaging system, but rather are functions of the database system itself. However, in Chandra et al., the messaging system is part of the database system, so the functions ENQUEUE and DEQUEUE are actually functions which are chosen by the user and associated with both systems.

Applicant further argues that the ENQUEUE and DEQUEUE commands are individual SQL statements but are not used within other SQL statements. This argument is not correct. See TABLE 3 shown in column 24, in which the ENQUEUE and DEQUEUE commands are used with other commands.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at

telephone number (703) 306-5626.

Sam Rimell
Primary Examiner
Art Unit 2175